IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1367 OF 2006

The State of Maharashtra ...Applicant

vs.

Kondiba Dhondiba Kusekar and anr. ...Respondents

Mr.A.S.Shitole, A.P.P.for the Applicant

CORAM: A.S.OKA,J.
DATE : OCTOBER 20,2006.

P.C.:

1. Heard learned A.P.P. for State. The Respondents have been acquitted of the offences punishable under sections 324, 504 read with section 34 of the Indian Penal Code.

2. The finding of the Trial Court is that evidence of independent witnesses has been withheld by the prosecution. The only independent eye witness has turned hostile. Therefore, the learned Trial Judge declined to pass an order of conviction based on sole testimony of the complainant.

3. Considering the facts and circumstances of the case, I am of the view that no case is made out for grant of leave. Application is rejected.

JUDGE